



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,744	03/08/2001	Ering Sing Wee	1077-CS	8242

7590 05/14/2004

WINSTEAD SECHREST & MINICK P.C.
P.O. BOX 50784
DALLAS, TX 75201

EXAMINER

PHAN, RAYMOND NGAN

ART UNIT

PAPER NUMBER

2111

DATE MAILED: 05/14/2004

|O

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/802,744	WEE ET AL. <i>SL</i>
	Examiner	Art Unit
	Raymond Phan	2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 02 March 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on March 2, 2004.
2. This application has been examined. Claims 1-15 are pending.
3. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2111.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (e) the invention was described in--
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5. Claims 1-15 are rejected under 35 U.S.C. § 102(e) as being anticipated by Page et al. (US NO. 6,321,246).

In regard to claims 1, 14-15, Page et al. disclose a programmable digital filter IC comprising a bus (see 7, lines 19-53); a processor, connected to the bus, for performing digital filter on digital signals (see col. 7, lines 19-53); and a programmable interface, connected to the bus, for selectively receiving digital signals having different properties for filtering by the processor (see col. 8, lines 19-60).

In regard to claim 2, Page et al. disclose in which the properties including data rate (see col. 8, lines 19-60).

In regard to claim 3, Page et al. disclose in which the properties include algorithm by which the digital signals were encoded (see col. 8, lines 19-20).

In regard to claim 4, Page et al. discloses programmable interface including a data input port (see col. 7, lines 29-46); a plurality of latches connected to the input port (see col. 12, line 31 through col. 13, line 5); a multiplexor, having a plurality of inputs, each receiving a respective output from the input latch; for selecting an input latch to be connected to the multiplexor output (see col. 12, line 31 through col. 13, line 5).

In regard to claim 5, Page et al. disclose in which the output of the multiplexor is connected to at least one sinc filters (see col. 12, line 31 through col. 13, line 5).

In regard to claim 6, Page et al. disclose in which the output of the multiplexor is connected to two different sinc filters (see col. 13, lines 6-25).

In regard to claim 7, Page et al. disclose in which the two different sinc filters can be selectively activated (see col. 13, lines 6-55).

In regard to claim 8, Page et al. disclose in which one of the sinc filter is a 5th order decimate by 8 sinc filter (see col. 11, lines 35-56).

In regard to claim 9, Page et al. disclose in which one of the sinc filter is a 6th order decimate by 2 sinc filters (see col. 11, lines 35-56).

In regard to claim 10, Page et al. disclose in which the inputs to the two different sinc filters may be selectively connected to the multiplexor or to a test signal data source (see col. 13, lines 6-55).

In regard to claim 11, Page et al. disclose in which the output of the multiplexor is connected to the first sinc filter and the output of the first sinc filter is connected to a programmable sinc filter (see col. 13, lines 5-66).

In regard to claim 12, Page et al. disclose in which the programmable sinc filter comprising selectable combinations of a plurality of sinc filters (see col. 14, lines 9-61).

In regard to claim 13, Page et al. disclose in which the plurality of sinc filters comprising two 4th order decimate by 2 sinc filters, a 5th order decimate by 2 sinc filter, a 6th order decimate by 2 sinc filters and a 4th order decimate by 3 sinc filter (see col. 11, lines 35-56).

Response to Arguments

6. In view of remarks filed on March 2, 2004, claims 1-15 have been fully considered but they are not deemed to be persuasive.

Applicant(s) argue that ...Page et al. fails to teach to the programmable interface for selectively receiving digital signals having different properties for filtering by a processor... (page 6). The Examiner does not agree. Page et al. teach

programmable interface 730 for selectively receiving digital signals (i.e. MDATA1-MDATA3) having different properties (i.e. SINC filter) for filtering by a processor 735 (i.e. DSP) (see figure 7, col. 7, line 19 through col. 8, line 30).

Conclusion

7. All claims are rejected.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RR

Raymond Phan
5/8/04

Paul R. Myers
PAUL R. MYERS
PRIMARY EXAMINER